

REMARKS

Claims 1-6, 12, 14-16, 18-20 and 22-23 are pending in the application. Claims 2-5, 14-15, 18-19 and 22-23 have been amended.

Claim Rejections – Obviousness-type Double Patenting

The Examiner has provisionally rejected claims 1-6, 12, 14-16, 18-20 and 22-23 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-8, 12, 14-16, 18-20, 22 and 23 of copending Application No. 09/823,212.

In response, applicant has filed a terminal disclaimer in compliance with 37 CFR 1.321(c).

Claim Rejections – 35 U.S.C §112

The Examiner has rejected claims 16, 18 and 19 under 35 U.S.C 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant respectfully traverses this rejection.

Regarding independent claim 16 the Examiner remarks that “lines 6-7 and 10-12 are indefinite because it is unclear as to what is summed, i.e. they call for summing the summation” (Office Action of August 18, 2004; page 3, lines 1-2). In response applicant notes that Claim 16 as previously presented recites:

16. An article comprising: a storage medium, said storage medium having stored thereon instructions, that, when executed result in filtering an image using a two-dimensional pyramid filter architecture of order $2N-1$, the two-dimensional pyramid filter architecture of order $2N-1$ including one-dimensional pyramid filters of order $2N-1$; where N is a positive integer greater than two, by:

summing, on respective clock cycles of said two dimensional pyramid filter architecture, the following:

pyramid filtered output signals corresponding to output signals produced by two one-dimensional pyramid filters of order $2N-1$; and

a pyramid filtered output signal corresponding to the summation of signal sample matrices of order $[2(N-1)-1]$.

(emphasis added). Applicant respectfully draws the Examiner's attention to the fact that Claim 16 recites summing two sets of signals together: one set including pyramid filtered output signals corresponding to output signals produced by two one-dimensional pyramid filters and the other set including a pyramid filtered output signal corresponding to the summation of signal sample matrices. Thus, Applicant believes that Claim 16 clearly recites summing together three signals: two that are the output signals from one-dimensional pyramid filters and one that is the result of summing signal sample matrices. Correspondingly, Applicant respectfully requests that the Examiner withdraw his rejection of Claim 16 and its dependent Claims 18 and 19.

Claim amendments not related to rejections:

In order to expedite prosecution of this application Applicant has amended dependent Claims 2-5, 14-15, 18-19 and 22-23 as follows:

Claim 2 has been amended to be consistent with Claim 1 as previously presented.

Claims 3 and 4 have been amended to depend upon Claim 1 not Claim 2.

Claim 5 has been amended to depend upon Claim 1 not Claim 2 and to correct a minor drafting error.

Claim 14 has been amended to be consistent with Claim 12 as previously presented.

Claim 15 has been amended to depend upon Claim 12 not Claim 14.

Claim 18 has been amended to be consistent with Claim 16 as previously presented.

Claim 22 has been amended to be consistent with Claim 20 as previously presented.

Claim 23 has been amended to depend upon Claim 20 not Claim 22.

CONCLUSION

Application No. 09/817,711
Reply to Office Action of August 18, 2004
Attorney Docket: 42390.P11275

In view of the foregoing, it is respectfully asserted that all of the claims pending in this patent application are in condition for allowance.

Should it be determined that an additional fee is due under 37 CFR §§1.16 or 1.17, or any excess fee has been received, please charge that fee or credit the amount of overcharge to deposit account #02-2666.

If the Examiner has any questions, he is invited to contact the undersigned at (503) 264-6473. Reconsideration of this patent application and early allowance of all the claims is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. D. Hinchliffe', with a long horizontal flourish extending to the right.

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